

REMARKS

Claims 1-26 are pending and were rejected. Claim 26 has been amended herein. No claims have been cancelled or added. Reconsideration of all the rejections is requested.

I. **Objection to the Title**

The office action required a more descriptive title, which is included in this response. Accordingly, the objection has been overcome.

II. **Rejection of Claim 26 Under 35 U.S.C. §101**

Claim 26 was rejected under 35 U.S.C. §101. While the applicants do not agree with the rejection, they have amended claim 26 as suggested by the office action in order to expedite prosecution.

III. **Rejection of Claims 1-6, 9-14, 17-22, and 25-26 Under 35 U.S.C. §102(e)**

Claims 1-6, 9-14, 17-22, and 25-26 were rejected under 35 U.S.C. §102(e) as being anticipated by Takahashi (U.S. 7,002,625).

CLAIM 1

Claim 1 is independent and is reprinted as follows for convenience:

A digital camera comprising:

a memory device wherein image data generated by said digital camera is storable in said memory device, said memory device comprising memory locations that are partitionable into a plurality of directories; and

a switching device having a first state and a second state;

wherein image data is storable in a first of said plurality of directories; and

wherein image data is storable in a second of said plurality of directories when said switching device is toggled from said first state to said second state.

Some portions of claim 1 that are not disclosed by Takahashi have been printed above in bold type. More specifically, claim 1 includes a switching device wherein image data is storable in a second of said plurality of directories when said switching device is toggled from said first state to said second state. The applicants contend that these elements are not disclosed by Takahashi.

The applicants contend that Takahashi does not teach a switching device as claimed in claim 1. According to the office action, Takahashi discloses a switching device in Fig. 7 (step 24 and decision 25); and column 7, lines 33-35. The office action further states that a switching device is inherently included for switching to a correct photographer directory in order to form or register the corresponding image file. With regard to the switch being toggled, the office action states that Takahashi teaches this element in Figs. 4, 8, and 11; column 7, line 55 to column 8, line 5; and column 9, lines 1-21.

Takahashi does not disclose a switching device as claimed in claim 1. Rather, Takahashi discloses a processor or the like that generates new directories based on criteria, such as location of the camera and the photographer. Software accomplishes the task of generating the directory or storing images in a directory without the use of a switch. Referring to the cited portions of Takahashi, it is clear that software or the like generates the directories and decides in which directories image data is stored.

Based on the foregoing, a user has no control over directories in the Takahashi device because software controls the directories and there is no switching device as claimed in claim 1 that enables a user to create directories. It follows that the software of Takahashi cannot toggle a switch as claimed in claim 1.

Because Takahashi does not disclose all the elements of claim 1, Takahashi cannot anticipate claim 1. Accordingly, the rejection of claim 1 has been overcome and the applicants request reconsideration of the rejection.

CLAIMS 2-6

Claims 2-6 are dependent on claim 1 and are deemed allowable by way of their dependence and for other reasons. Accordingly, the applicants contend that the rejections have been overcome.

Claim 9

Claim 9 is independent and is reprinted as follows for convenience:

A method of using a digital camera, said method comprising:
generating first image data;
storing said first image data in a first directory of a memory device;
and
toggling a switching device associated with said digital camera;
wherein said toggling causes subsequent image data to be stored in a second directory of said memory device.

Some portions of claim 9 that are not disclosed by Takahashi have been printed above in bold type. Claim 9 was rejected on many of the same grounds as claim 1. Accordingly, the applicants incorporate the rebuttal to the rejection of claim 1 into this rebuttal of the rejection of claim 9.

As set forth above, Takahashi does not disclose a switching device. Accordingly, Takahashi cannot disclose "toggling a switching device associated with said digital camera" as claimed in claim 9. In addition, Takahashi cannot disclose "wherein said toggling causes subsequent image data to be stored in a second directory of said memory device" as claimed in claim 9.

Based on the foregoing, Takahashi does not disclose all the elements of claim 9 and cannot anticipate claim 9. Therefore, the applicants request reconsideration of the rejections.

CLAIMS 10-14

Claims 10-14 are dependent on claim 9 and are deemed allowable by way of their dependence and for other reasons. Accordingly, the applicants contend that the rejections have been overcome.

CLAIM 17

A method of sorting image data generated by a digital camera, said method comprising:

generating first image data using said digital camera;

storing said first image data in a first directory within a memory device electrically connected to said digital camera; and

toggling a switching device associated with said digital camera, said toggling causing second image data to be stored in a second directory within said memory device.

Some portions of claim 17 that are not disclosed by Takahashi have been printed above in bold type. Claim 17 was rejected on many of the same grounds as claim 1. Accordingly, the applicants incorporate the rebuttal to the rejection of claim 1 into this rebuttal of the rejection of claim 17.

As set forth above, Takahashi does not disclose a switching device. Accordingly, Takahashi cannot disclose “toggling a switching device associated with said digital camera, said toggling causing second image data to be stored in a second directory within said memory device” as claimed in claim 17.

Based on the foregoing, Takahashi does not disclose all the elements of claim 17 and cannot anticipate claim 17. Therefore, the applicants request reconsideration of the rejections.

CLAIMS 18-22

Claims 18-22 are dependent on claim 17 and are deemed allowable by way of their dependence and for other reasons. Accordingly, the applicants contend that the rejections have been overcome.

CLAIM 25

Claim 25 is independent and is reprinted as follows for convenience:

A digital camera comprising:
a memory means for storing image data generated by said digital camera, said memory means being partitionable into a plurality of directories; and
a switching means;
wherein toggling of said switching means causes image data to be stored in one of said plurality of directories.

Some portions of claim 25 that are not disclosed by Takahashi have been printed above in bold type. Claim 25 was rejected on many of the same grounds as claim 1. Accordingly, the applicants incorporate the rebuttal to the rejection of claim 1 into this rebuttal of the rejection of claim 25.

As set forth above, Takahashi does not disclose a switching device. It follows that Takahashi also does not disclose a switching means as claimed. Accordingly, Takahashi cannot disclose "wherein toggling of said switching means causes image data to be stored in one of said plurality of directories" as claimed in claim 25.

Based on the foregoing, Takahashi does not disclose all the elements of claim 25 and cannot anticipate claim 25. Therefore, the applicants request reconsideration of the rejections.

CLAIM 26

Claim 26 is independent and is reprinted as follows for convenience:

A digital camera comprising a computer and a computer-readable medium operatively associated with said computer, said computer-readable medium encoded with computer executable instructions for:

storing first image data generated by said digital camera in a first directory of a memory device;

sensing toggling of a switching device; and

storing subsequent image data generated by said digital camera in a second directory of said memory device upon sensing said toggling of said switching device.

Some portions of claim 26 that are not disclosed by Takahashi have been printed above in bold type. Claim 26 was rejected on many of the same grounds as claim 1. Accordingly, the applicants incorporate the rebuttal to the rejection of claim 1 into this rebuttal of the rejection of claim 26.

As set forth above, Takahashi does not disclose a switching device. Therefore, Takahashi cannot disclose “sensing toggling of a switching device” as claimed. It follows that Takahashi cannot disclose “storing subsequent image data generated by said digital camera in a second directory of said memory device upon sensing said toggling of said switching device” as claimed in claim 26.

Based on the foregoing, Takahashi does not disclose all the elements of claim 26 and cannot anticipate claim 26. Therefore, the applicants request reconsideration of the rejections.

IV. Rejection of Claims 7, 15, and 23 Under 35 U.S.C. §103(a)

Claims 7, 15, and 23 were rejected under 35 U.S.C. §102(e) as being unpatentable over Takahashi (U.S. 7,002,625) in view of Abram.

Claims 7, 15, and 23 are dependent on allowable base claims and are deemed allowable by way of their dependence and for other reasons.

V. Rejection of Claims 8, 16, and 24 Under 35 U.S.C. §103(a)

Claims 8, 16, and 24 were rejected under 35 U.S.C. §102(e) as being unpatentable over Takahashi (U.S. 7,002,625) in view of Abram and further in view of Mauldin (U.S. 5,664,227).

Claims 8, 16, and 24 are dependent on allowable base claims and are deemed allowable by way of their dependence and for other reasons.

All of the pending claims are believed to be in condition for allowance and a notice to that effect is earnestly solicited.

Respectfully submitted,
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